

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MATTHEW MUCKEY,

Case No.:  
1:24-CV-03348 (AS) (RWL)

Plaintiff,

-against-

ASSOCIATED MUSICIANS OF GREATER NEW YORK,  
LOCAL 802, AMERICAN FEDERATION OF MUSICIANS  
and THE PHILHARMONIC-SYMPHONY SOCIETY OF  
NEW YORK, INC. a/k/a THE NEW YORK PHILHARMONIC  
ORCHESTRA,

Defendants.

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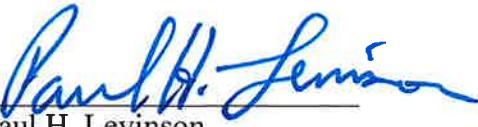
**DECLARATION OF PAUL H. LEVINSON IN OPPOSITION TO THE MOTION TO  
DISMISS OF THE PHILHARMONIC-SYMPHONY SOCIETY OF NEW YORK, INC.  
a/k/a THE NEW YORK PHILHARMONIC ORCHESTRA**

Paul H. Levinson, an attorney admitted to practice before this Court, hereby declares as follows under penalties of perjury:

1. I am a partner with the firm of McLaughlin & Stern, LLP, counsel for Plaintiff Matthew Muckey ("Plaintiff" or "Mr. Muckey") in this matter.
2. I make the following Declaration in opposition to the Motion to Dismiss of Defendant, THE PHILHARMONIC-SYMPHONY SOCIETY OF NEW YORK, INC. a/k/a THE NEW YORK PHILHARMONIC ORCHESTRA ("the Philharmonic").
3. Attached hereto as Exhibit "A" is a non-argumentative chart identifying the paragraphs of the Complaint that Plaintiff believes plausibly allege the specific elements to each of the Claims (counts) pleaded against the Philharmonic pursuant to Section 8(G)(i) of this Court's Individual Practices in Civil Cases.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York, on this 29<sup>th</sup> day of July 2024.



Paul H. Levinson